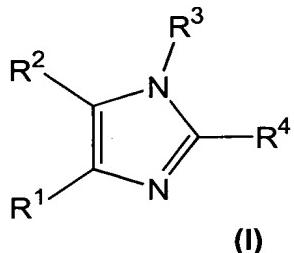


Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1. (currently amended) A process for preparing a compound of formula (I)



wherein

R^1 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C_1-C_5 alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R^2 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C_1-C_5 alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C_1-C_4 alkyl substituted a saturated or unsaturated 6 membered ring with 5 carbon atoms and one nitrogen atom;

R^3 is selected from the group consisting of hydrogen, aryl C_1-C_5 alkyl, substituted aryl C_1-C_5 alkyl, (where the aryl substituents are independently selected from one or more of a carbocyclic aryl C_1-C_5 alkyl, wherein the aryl group is optionally substituted with substituents selected from C_1-C_5 alkyl, C_1-C_5 alkoxy, halogen, amino, C_1-C_5 alkylamino or di(C_1-C_5 alkyl)amino), phthalimido C_1-C_5 alkyl, succinimido C_1-C_5 alkyl, C_1-C_5 alkylcarbonyl C_1-C_5 alkyl, aryloxycarbonyl C_1-C_5 alkyl, and heteroaryl C_1-C_5 alkyl, where the heteroaryl contains 5 to 6 ring atoms;

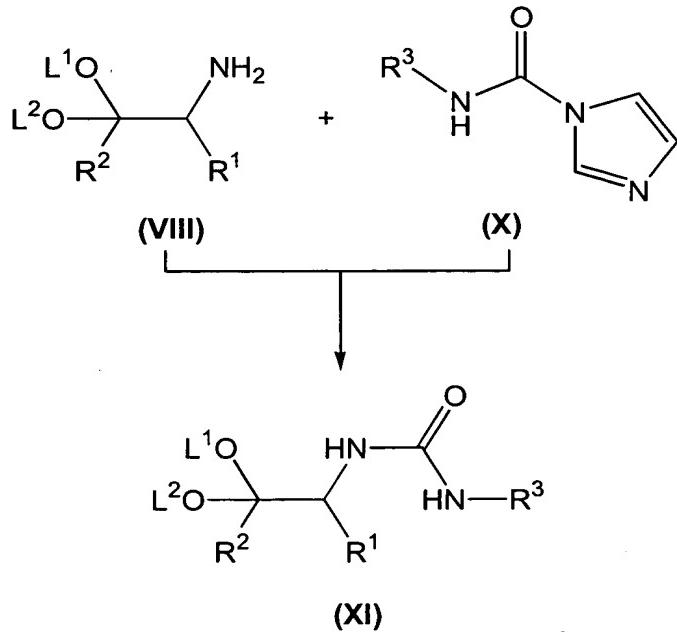
R^4 is $\begin{array}{c} \searrow \\ -\text{C}\equiv\text{C}-\text{(CH}_2\text{)}_p-\text{X} \\ \swarrow \end{array}$, where

p is an integer from 0 to 9;

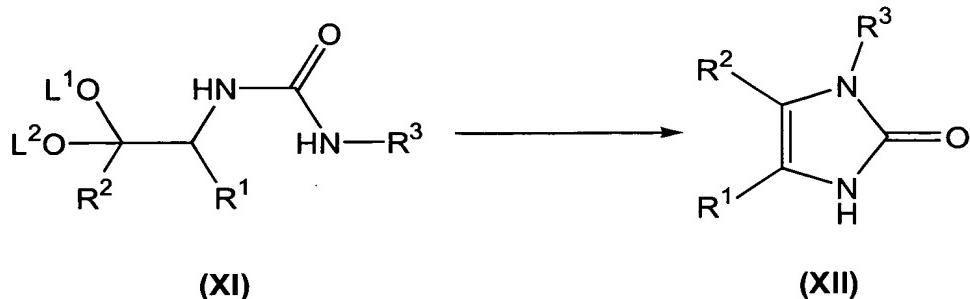
X is selected from the group consisting of hydrogen, hydroxy, vinyl, substituted vinyl, (where one or more substituents are selected from fluorine or chlorine), ethynyl, substituted ethynyl (where the substituent is selected from fluorine or chlorine), C_1-C_5 alkyl, substituted C_1-C_5 alkyl (where the alkyl substituents are selected from one or more of C_1-C_5 alkoxy, and trihaloalkyl, phthalimido or amino), and C_3-C_7 cycloalkyl, C_1-C_5 alkoxy, substituted C_1-C_5 alkoxy (where the alkyl substituents are selected from phthalimido or amino), phthalimidoxy, phenoxy, substituted phenoxy (where the phenyl substituents are selected from C_1-C_5 alkyl, fluorine, chlorine or C_1-C_5 alkoxy), phenyl, substituted phenyl (where

~~the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl (where the aryl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylhydroxyC₁-C₅alkylamino, C₁-C₅alkylamino, di(C₁-C₅alkyl)amino, nitrile, oxime, benzyleoxyimino, C₁-C₅alkyloxyamino, phthalimido, succinimide, C₁-C₅alkylcarbonyloxy, phenylcarbonyloxy, substituted phenylcarbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), phenylC₁-C₅alkylcarbonyloxy, (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy) aminocarbonyloxy, C₁-C₅alkylaminocarbonyloxy, di(C₁-C₅alkyl)aminocarbonyloxy, C₁-C₅alkoxycarbonyloxy, substituted C₁-C₅alkoxycarbonyloxy (where the alkyl substituents are selected from the group consisting of methyl, ethyl, isopropyl and hexyl), phenoxy carbonyloxy, substituted phenoxy carbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), C₁-C₅alkylthio, substituted C₁-C₅alkylthio (where the alkyl substituents are selected from hydroxy and phthalimido), C₁-C₅alkylsulfonyl, phenylsulfonyl and substituted phenylsulfonyl (where the phenyl substituents are selected from fluorine, chlorine, C₁-C₅alkoxy or trifluoromethyl); or and pharmaceutically acceptable salts thereof;~~

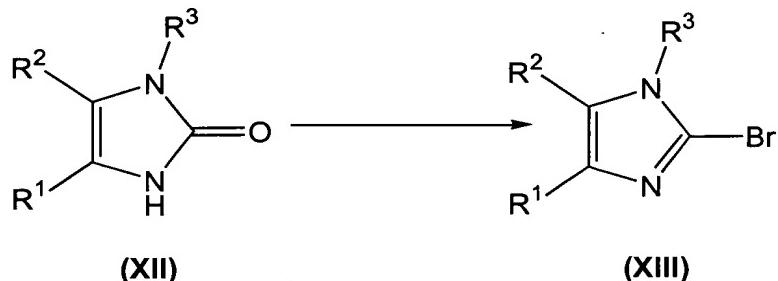
comprising



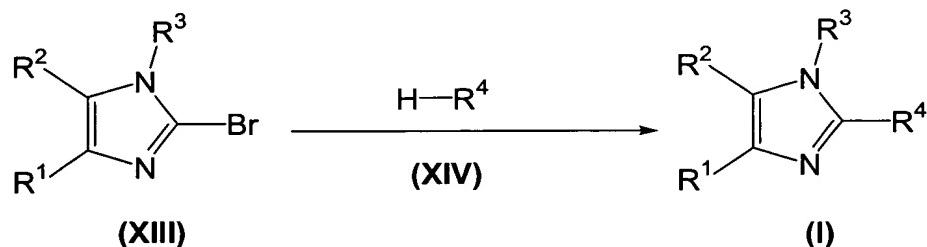
reacting a compound of formula (VIII), wherein L¹ and L² are independently selected from the group consisting of C₁-C₄alkyl and C₁-C₄aralkyl; or L¹ together with L² is selected from the group consisting of -CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and -CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl); with a compound of formula (X), to produce the corresponding compound of formula (XI);



cyclizing the compound of formula (XI), under acid conditions of pH less than about 7, to produce the corresponding compound of formula (XII);

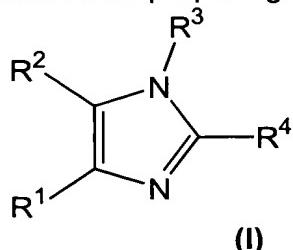


reacting the compound of formula (XII) with POBr_3 , PBr_5 , or a mixture of PBr_3 and Br_2 , to yield the corresponding compound of formula (XIII);



displacing the bromine on the compound of formula (XIII) by reacting with a compound of formula (XIV), to produce the corresponding compound of formula (I).

Claim 2. (withdrawn) A process for preparing a compound of formula (I)



wherein

R¹ is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R² is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted;

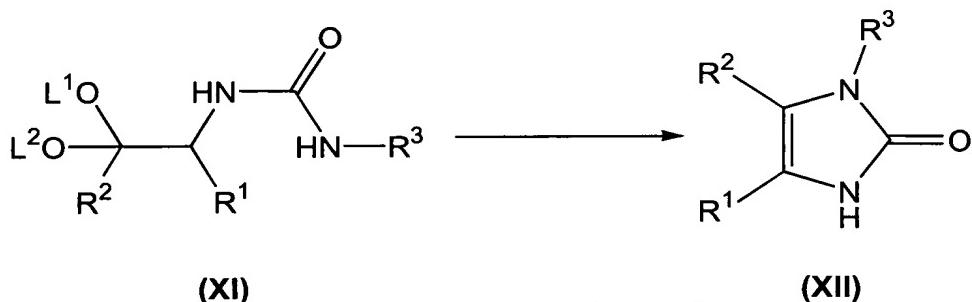
R³ is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms;

R⁴ is $\text{--}\begin{array}{c} \diagup \\ \diagdown \end{array}\text{C}\equiv\text{C}\text{---}(\text{CH}_2)_p\text{---}X$, where

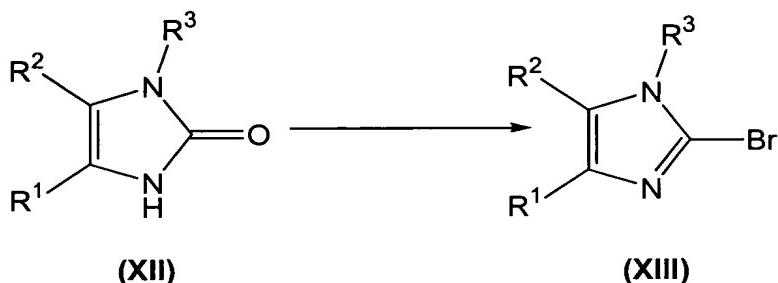
p is an integer from 0 to 9;

X is selected from the group consisting of hydrogen, hydroxy, vinyl, substituted vinyl, (where one or more substituents are selected from fluorine or chlorine), ethynyl, substituted ethynyl (where the substituent is selected from fluorine or chlorine), C₁-C₅alkyl, substituted C₁-C₅alkyl (where the alkyl substituents are selected from one or more of C₁-C₅alkoxy, trihaloalkyl, phthalamido or amino), C₃-C₇cycloalkyl, C₁-C₅alkoxy, substituted C₁-C₅alkoxy (where the alkyl substituents are selected from phthalimido or amino), phthalimidoxy, phenoxy, substituted phenoxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), phenyl, substituted phenyl (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl (where the aryl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylhydroxyC₁-C₅alkylamino, C₁-C₅alkylamino, di(C₁-C₅alkyl)amino, nitrile, oxime, benzyloxyimino, C₁-C₅alkyloxymino, phthalimido, succinimido, C₁-C₅alkylcarbonyloxy, phenylcarbonyloxy, substituted phenylcarbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), phenylC₁-C₅alkylcarbonyloxy, (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), aminocarbonyloxy, C₁-C₅alkylaminocarbonyloxy, di(C₁-C₅alkyl)aminocarbonyloxy, C₁-C₅alkoxycarbonyloxy, substituted C₁-C₅alkoxycarbonyloxy (where the alkyl substituents are selected from the group consisting of methyl, ethyl, isopropyl and hexyl), phenoxy carbonyloxy, substituted phenoxy carbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), C₁-C₅alkylthio, substituted C₁-C₅alkylthio (where the alkyl substituents are selected from hydroxy and phthalimido), C₁-C₅alkylsulfonyl, phenylsulfonyl and substituted phenylsulfonyl (where the phenyl substituents are selected from fluorine, chlorine, C₁-C₅alkoxy or trifluoromethyl); or pharmaceutically acceptable salts thereof;

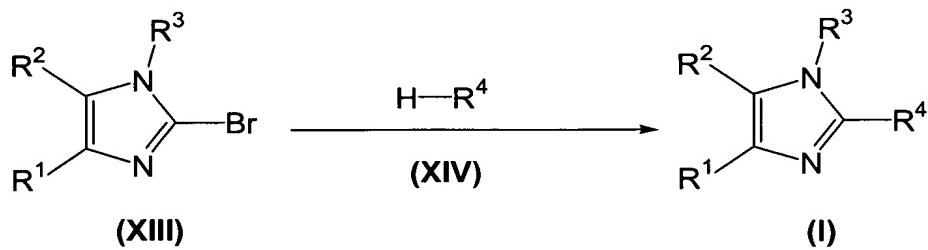
comprising



cyclizing a compound of formula (XI), wherein L¹ and L² are independently selected from the group consisting of C₁-C₄alkyl and C₁-C₄aralkyl; or L¹ together with L² is selected from the group consisting of -CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and -CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl), under acid conditions of pH less than about 7, to produce the corresponding compound of formula (XII);

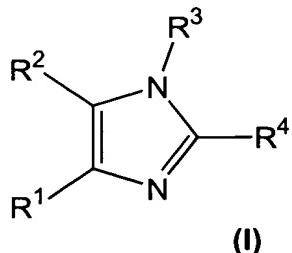


reacting the compound of formula (XII) with POBr_3 , PBr_5 , or a mixture of PBr_3 and Br_2 , to yield the corresponding compound of formula (XIII);



displacing the bromine on the compound of formula (XIII) by reacting with a compound of formula (XIV), to produce the corresponding compound of formula (I).

Claim 3. (withdrawn) A process for preparing a compound of formula (I)



wherein

R¹ is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R² is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted;

R³ is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms;

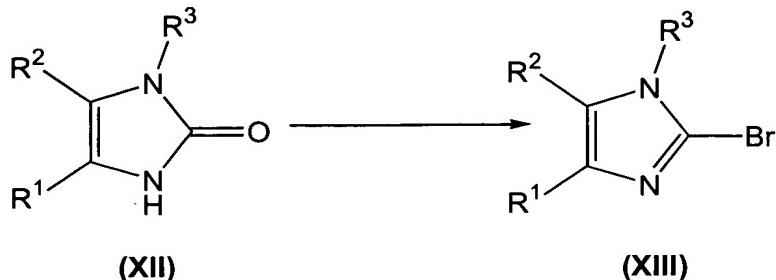
R⁴ is $\begin{cases} \text{---} & \text{---} \\ \text{---} & \text{---} \end{cases} \text{C}\equiv\text{C---}(\text{CH}_2)_p\text{---X}$, where

p is an integer from 0 to 9;

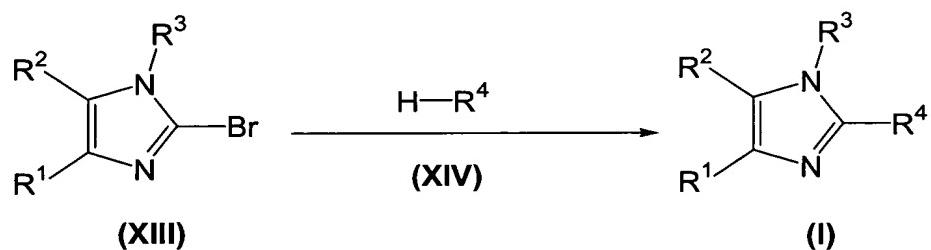
X is selected from the group consisting of hydrogen, hydroxy, vinyl, substituted vinyl, (where one or more substituents are selected from fluorine or chlorine), ethynyl, substituted ethynyl (where the substituent is selected from fluorine or chlorine), C₁-C₅alkyl, substituted C₁-C₅alkyl (where the alkyl substituents are selected from one or more of C₁-C₅alkoxy, trihaloalkyl, phthalamido or amino), C₃-C₇cycloalkyl, C₁-C₅alkoxy, substituted C₁-C₅alkoxy (where the alkyl substituents are selected from phthalimido or amino), phthalimidooxy, phenoxy, substituted phenoxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), phenyl, substituted phenyl (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl (where the aryl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), arylhydroxyC₁-C₅alkylamino, C₁-C₅alkylamino, di(C₁-C₅alkyl)amino, nitrile, oxime, benzyloxyimino, C₁-C₅alkyloxyamino, phthalimido, succinimido, C₁-C₅alkylcarbonyloxy, phenylcarbonyloxy, substituted phenylcarbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), phenylC₁-C₅alkylcarbonyloxy, (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), aminocarbonyloxy, C₁-C₅alkylaminocarbonyloxy, di(C₁-C₅alkyl)aminocarbonyloxy, C₁-C₅alkoxycarbonyloxy, substituted C₁-C₅alkoxycarbonyloxy (where the alkyl

substituents are selected from the group consisting of methyl, ethyl, isopropyl and hexyl), phenoxy carbonyloxy, substituted phenoxy carbonyloxy (where the phenyl substituents are selected from C₁-C₅alkyl, fluorine, chlorine or C₁-C₅alkoxy), C₁-C₅alkylthio, substituted C₁-C₅alkylthio (where the alkyl substituents are selected from hydroxy and phthalimido), C₁-C₅alkylsulfonyl, phenylsulfonyl and substituted phenylsulfonyl (where the phenyl substituents are selected from fluorine, chlorine, C₁-C₅alkoxy or trifluoromethyl); or pharmaceutically acceptable salts thereof;

comprising

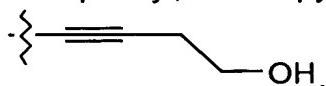


reacting the compound of formula (XII) with POBr_3 , PBr_5 , or a mixture of PBr_3 and Br_2 , to yield the corresponding compound of formula (XIII);

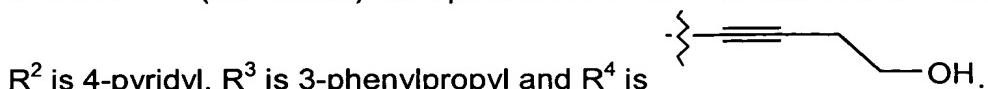


displacing the bromine on the compound of formula (XIII) by reacting with a compound of formula (XIV), to produce the corresponding compound of formula (I).

Claim 4. (previously presented) The process of Claim 1 wherein R¹ is 4-fluorophenyl, R² is 4-pyridyl, R³ is 3-phenylpropyl and R⁴ is



Claim 5. (withdrawn) The process of Claim 3 wherein R¹ is 4-fluorophenyl,



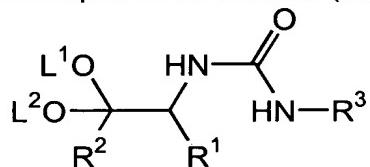
Claim 6. (previously presented) The process of Claim 1 wherein the compound of formula (XII) is reacted with POBr_3 in tetramethylenesulfone.

Claim 7. (withdrawn) The process of Claim 3 wherein the compound of formula (XII) is reacted with POBr₃ in tetramethylenesulfone.

Claim 8. (withdrawn) The process of Claim 1, wherein the compound of formula (XII) is reacted with about a 1:1 mixture of PBr₃ and Br₂ in POCl₃.

Claim 9. (withdrawn) The process of Claim 3, wherein the compound of formula (XII) is reacted with about a 1:1 mixture of PBr₃ and Br₂ in POCl₃.

Claim 10. (withdrawn) A compound of formula (XI)



(XI)

wherein

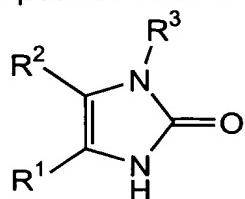
R^1 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R^2 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted;

R^3 is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms; and

L^1 and L^2 are independently selected from the group consisting of C₁-C₄alkyl and C₁-C₄aralkyl; or L^1 together with L^2 is selected from the group consisting of -CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and -CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl).

Claim 11. (withdrawn) A compound of the formula (XII)



(XII)

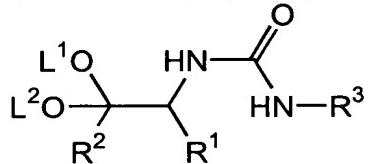
wherein

R¹ is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R² is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted; and

R³ is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms.

Claim 12. (withdrawn) A process for preparing a compound of formula (XI)



(XI)

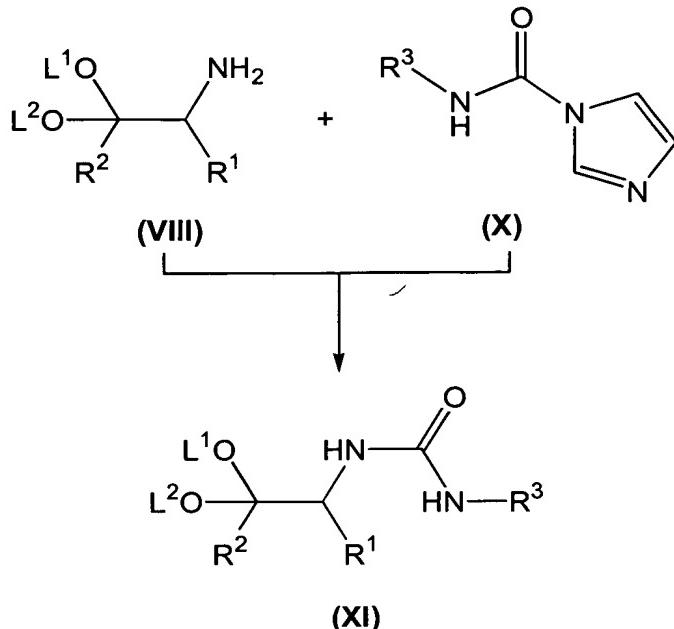
wherein

R¹ is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R² is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted;

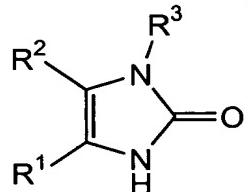
R³ is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms; and

L¹ and L² are independently selected from the group consisting of C₁-C₄alkyl and C₁-C₄aralkyl; or L¹ together with L² is selected from the group consisting of -CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and -CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl)
comprising



reacting a compound of formula (VIII), wherein L^1 and L^2 are independently selected from the group consisting of $\text{C}_1\text{-C}_4\text{alkyl}$ and $\text{C}_1\text{-C}_4\text{aralkyl}$; or L^1 together with L^2 is selected from the group consisting of $-\text{CH}_2\text{-CH}_2-$ (optionally substituted with one to four $\text{C}_1\text{-C}_3$ alkyl), and $-\text{CH}_2\text{-CH}_2\text{-CH}_2-$ (optionally substituted with one to six $\text{C}_1\text{-C}_3$ alkyl); with a compound of formula (X), to produce the corresponding compound of formula (XI).

Claim 13. (withdrawn) A process for preparing a compound of formula (XII)



(XII)

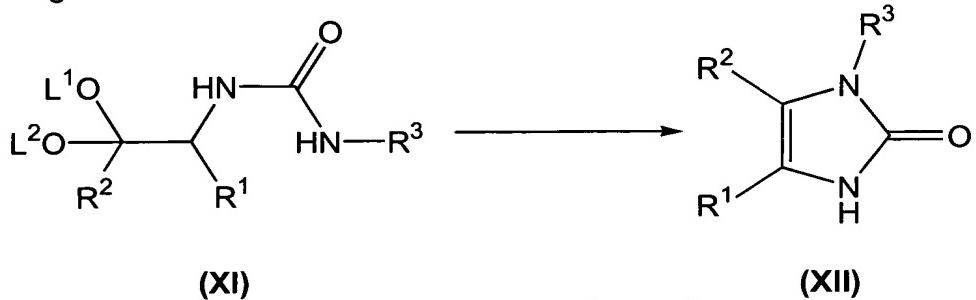
wherein

R^1 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from $\text{C}_1\text{-C}_5\text{alkyl}$, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

R^2 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from $\text{C}_1\text{-C}_5\text{alkyl}$, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally $\text{C}_1\text{-C}_4\text{alkyl}$ substituted; and

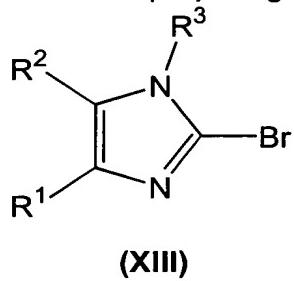
R^3 is selected from the group consisting of hydrogen, aryl $\text{C}_1\text{-C}_5\text{alkyl}$, substituted aryl $\text{C}_1\text{-C}_5\text{alkyl}$, (where the aryl substituents are independently selected from one or more of $\text{C}_1\text{-C}_5\text{alkyl}$, $\text{C}_1\text{-C}_5\text{alkoxy}$, halogen, amino, $\text{C}_1\text{-C}_5\text{alkylamino}$ or di($\text{C}_1\text{-C}_5\text{alkyl}$)amino).

C_5 alkyl)amino), phthalimido C_1 - C_5 alkyl, succinimido C_1 - C_5 alkyl, C_1 - C_5 alkylcarbonyl C_1 - C_5 alkyl, aryloxycarbonyl C_1 - C_5 alkyl, and heteroaryl C_1 - C_5 alkyl, where the heteroaryl contains 5 to 6 ring atoms comprising



cyclizing a compound of formula (XI), wherein L¹ and L² are independently selected from the group consisting of C₁-C₄alkyl and C₁-C₄aralkyl; or L¹ together with L² is selected from the group consisting of -CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and -CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl); under acid conditions of pH less than about 7, to produce the corresponding compound of formula (XII).

Claim 14. (withdrawn) A process for preparing a compound of formula (XIII)

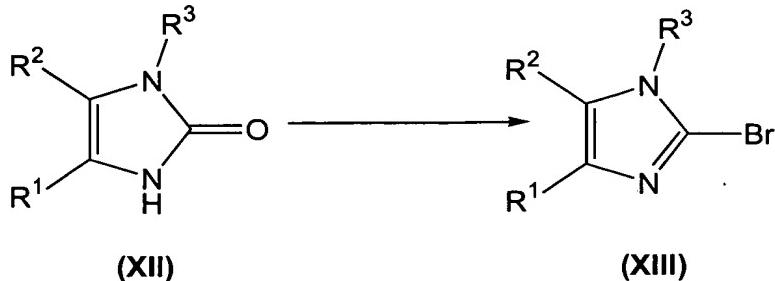


wherein

R^1 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C_1-C_5 alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms;

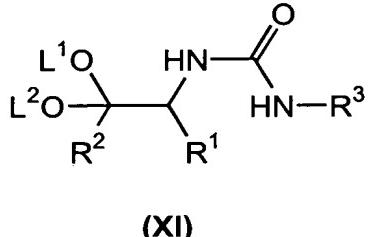
R² is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C₁-C₄alkyl substituted; and

R^3 is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms comprising



reacting a compound of formula (XII) with POBr_3 , PBr_5 , or a mixture of PBr_3 and Br_2 , to yield the corresponding compound of formula (XIII).

Claim 15. (withdrawn) A process for preparing a compound of formula (XI)



wherein

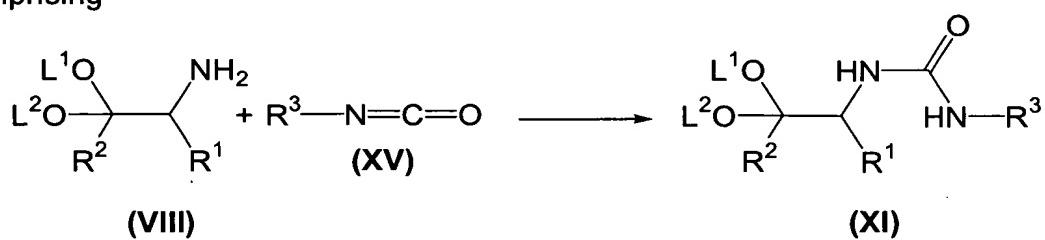
R¹ is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C₁-C₅alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms:

R^2 is selected from the group consisting of phenyl, substituted phenyl, (where the substituents are selected from C_1 - C_5 alkyl, halogen or trifluoromethyl) and heteroaryl, where the heteroaryl contains 5 to 6 ring atoms and is optionally C_1 - C_4 alkyl substituted;

R^3 is selected from the group consisting of hydrogen, arylC₁-C₅alkyl, substituted arylC₁-C₅alkyl, (where the aryl substituents are independently selected from one or more of C₁-C₅alkyl, C₁-C₅alkoxy, halogen, amino, C₁-C₅alkylamino or di(C₁-C₅alkyl)amino), phthalimidoC₁-C₅alkyl, succinimidoC₁-C₅alkyl, C₁-C₅alkylcarbonylC₁-C₅alkyl, aryloxycarbonylC₁-C₅alkyl, and heteroarylC₁-C₅alkyl, where the heteroaryl contains 5 to 6 ring atoms; and

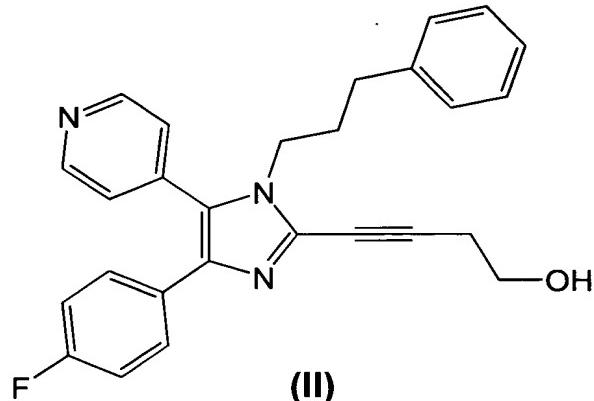
L¹ and L² are independently selected from the group consisting of C₁-C₄ alkyl and C₁-C₄ aralkyl; or L¹ together with L² is selected from the group consisting of –CH₂-CH₂- (optionally substituted with one to four C₁-C₃ alkyl), and –CH₂-CH₂-CH₂- (optionally substituted with one to six C₁-C₃ alkyl); comprising

comprising



reacting a compound of formula (VIII) with a compound of formula (XV), to yield the corresponding compound of formula (XI).

Claim 16. (previously presented) A crystalline form of the compound of formula (II)



comprising the following x-ray powder diffraction peaks:

| ANGLE °2θ | d-Spacing (Å) | Relative Intensity (%) |
|-----------|---------------|------------------------|
| 7.206 | 12.257 | 100.0 |
| 8.961 | 9.861 | 14.2 |
| 10.617 | 8.326 | 24.8 |
| 12.438 | 7.110 | 14.0 |
| 15.500 | 5.712 | 33.7 |
| 16.458 | 5.382 | 13.3 |
| 17.360 | 5.104 | 17.2 |
| 17.879 | 4.957 | 37.6 |
| 18.343 | 4.833 | 19.2 |
| 18.665 | 4.750 | 31.8 |
| 19.126 | 4.637 | 16.1 |
| 19.943 | 4.448 | 21.9 |
| 20.491 | 4.331 | 30.8 |
| 21.469 | 4.135 | 52.9 |
| 21.891 | 4.057 | 59.8 |
| 22.371 | 3.971 | 58.7 |
| 22.778 | 3.901 | 12.0 |
| 23.159 | 3.837 | 51.0 |
| 23.870 | 3.725 | 20.8 |
| 24.526 | 3.627 | 15.5 |
| 24.704 | 3.601 | 25.9 |
| 25.113 | 3.543 | 14.7 |
| 26.368 | 3.377 | 11.0 |
| 27.674 | 3.221 | 10.5 |
| 28.088 | 3.174 | 18.3 |

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|--------|--------|------|
| 28.896 | 3.087 | 21.3 |
| 29.291 | 3.047 | 19.4 |
| 30.201 | 2.9568 | 10.6 |
| 30.501 | 2.9284 | 13.3 |